



TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

APPROVED

Board of Selectmen Meeting Minutes

Monday, October 22, 2012 at 6:00 P.M. Community Room, Town Offices, 25 Bryants Lane

Members Present: Selectwoman Karyn Puleo, Selectman Rick Reault, Selectman Robert Jackson, Selectman Allen Curseaden, Selectman Corliss Lambert.

Staff Present: Town Administrator Michael Gilleberto, Admin Assistant Therese Gay

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

1. 6:00 PM Open Meeting/Pledge of Allegiance/Board Introduction/Read Agenda

The Chairman called the meeting to order. The Pledge of Allegiance was recited. The Agenda was read by Rick Reault, Clerk. The Board was introduced.

2. Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

The Board voted on a motion by Selectman Reault, second by Selectman Curseaden to enter into Executive Session to discuss strategy with respect to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, and to discuss strategy with respect to collective bargaining or litigation because an open meeting may have a detrimental effect on the bargaining or litigating position of the public body, as declared by the Chairman, and to return to open session at the conclusion of the executive session. Roll Call Vote: Selectwoman Puleo, yes; Selectman Reault, yes; Selectman Jackson, yes, Selectman Lambert, yes; Selectman Curseaden, yes.

A. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

B. To discuss strategy with respect to collective bargaining or litigation because an open meeting may have a detrimental effect on the bargaining or litigating position of the public body, as declared by the Chairman.

The Board at the conclusion of the executive session voted on a motion by Selectman Reault, second by Selectwoman Puleo to enter into open session. Roll Call Vote: Selectwoman Puleo, yes; Selectman Reault, yes; Selectman Jackson, yes, Selectman Lambert, yes; Selectman Curseaden, yes. The Board exited the Executive Session at 7:15 PM.

3. 6:30 PM Meeting Minutes Review/Approve

A. Monday September 17, 2012

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to approve the minutes of Monday September 17, 2012.

B. Monday September 24, 2012

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to approve the minutes of Monday September 24, 2012.

C. Monday, October 1, 2012

Deferred to Monday October 29, 2012.

D. Tuesday, October 16, 2012

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to approve the minutes of Tuesday October 16, 2012.

Executive Session Minutes Review/Approve/Not to Release

E. Monday, September 17, 2012

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to approve and not release the Executive Session Minutes of Monday September 17, 2012.

4. Citizen/Business Time – No one came forward this evening.

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

5. New Business

A. Police Chief – Surplus Program Overview

The Chief, Lt. Chronopoulos, and Officer Whitman presented the Military Surplus Program 1033 to the Board. This program has been available since 1997, and many Law Enforcement Agencies around the country have taken advantage of its benefits. These benefits have included a wide range of equipment, including but not limited to office furniture, gym equipment, weapons and armored vehicles. This equipment is offered for no cost to Municipal Law Enforcement Agencies, with the exception of paying shipping costs. There are local disposition center such as Devens and dispositions centers across the country which provides free shipping. Lt Chronopoulos and Officer Whitman visited a disposition center. They requested to hold two pieces of equipment which are now housed at the Highway Garage. The Town has not accepted these pieces of equipment, and the equipment is being held pending the approval of the Board of Selectmen. The first equipment request is a HMMWV armored vehicle and the second is a Quiet diesel generator which is mounted on a utility trailer. The Board thanked the Officers for coming in and giving an overview of the program, Selectman Curseaden indicated that both pieces had been already approved by the Board at a previous meeting.

B. Part-Time Communications Dispatcher – Appointments

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to appoint Pollyanna Leung as a Part-Time Dispatcher to the Tyngsborough Police/Fire Department.

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to appoint Kim Desmarais as a Part-Time Dispatcher to the Tyngsborough Police/Fire Department.

C. Special Police Officer – Appointment

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to appoint Jason Kushmerek as a Tyngsborough Special Police Officer for the Town of Tyngsborough.

D. One Day Alcoholic Beverages License Request – Greater Lowell Regional Vocational-Technical School

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to approve the request for a One-Day License for the Greater Lowell Technical High School for the Superintendent's Scholarship Fundraising Event on November 28, 2012 with a snow date of November 29, 2012, between the hours of 5:00 PM to 11:00 PM.

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to waive the \$50.00 fee.

E. Assistant Town Administrator screening – Update

The Administrator outlined the process used to screen the Assistant Town Administrator Candidates. The Screening Committee consisting of Selectwoman Puleo and Selectman Lambert interviewed eight candidates, two of the candidates stood out and the committee brought forth four candidates for the Board to interview. The Board will interview the four candidates in a work session on two adjacent nights and will be scheduled for one hour each. Selectman Lambert the process went smoothly and efficiently and the amount of disagreement was close to zero. He strongly supports the four candidates. Selectwoman Puleo echoes the four strong candidates, the series of questions were all the same, it was a great process and all agreed that a work session be set up to interview the four candidates.

6. Old Business

A. Sherburne Avenue culvert repairs – discussion and approve scope of work

The Administrator updated the Board on the Sherburne Avenue culvert repairs. The engineer presented two options for the culvert near the GLTHS and based on this report the Administrator recommends to the Board that they approve the relining of the pipe and monitor retaining wall before a decision is made to re-construct headwall, the re-lined pipe could be extended if a new headwall is necessary. The monitoring will be paid out of the Engineering appropriations. The Administrator believes the portion of the project will qualify for Chapter 90 funding. Hearing no discussions the Chairman entertained a motion from the Board.

The Board voted 5-0-0 on a motion by Selectman Reault, second by Selectwoman Puleo to approve the scope of work of re-lining of the pipe and to establish a monitoring system of the headwall at the Sherburne Avenue Culvert that is near the GLTHS. The engineer's report on the culvert near Cardinal Lane indicates that it is in good shape and not the cause of the pavement conditions. The report further states that the roadway could be re-surfaced to improve surface drainage. The Highway Senior Forman informs the Administrator that the Highway Department staff can do this work. If not this fall then it will be done next spring.

7. Citizen/Business Time –No one came forward this evening.

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8. Correspondence

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9. Review of Weekly Warrants

The Town Administrator read the weekly warrant into the minutes. Warrant #16B in the amount of \$577,206.74 on 10/15/2012; Warrant #17P in the amount of \$792,358.16 on 10/22/2012; Warrant #17B in the amount of \$637,972.61 on 10/22/2012; Warrant #17S in the amount of \$294,028.88 on 10/22/2012.

10. Town Administrator's Reports

- Response to Selectmen's Requests

A copy of the letter sent in response to a recent resident inquiry.

I attended the Great Lowell Chamber of Commerce Business Expo and Showcase and have attached copies of the handout and various materials from the event. We received visits from a dozen individuals.

I attached a copy of the correspondence to the Town Clerk regarding the street acceptance hearings.

- Budget

The Free Cash was certified by the DOR the amount is \$694,466, the memorandum is attached.

The FY 2014 budget process will start in earnest in the next few weeks. The Fin Com will be meeting and will likewise advise that initial departmental submissions be at a "level-service" amount. It is also possible that the Capital Asset Management Committee will make capital request at that time.

New growth tax revenue was certified at \$285,256. In consulting with the Interim Town Accountant, we anticipate that the recap sheet will be able to absorb this variance from our projection of \$350,000.

Through the end of the first quarter, the state missed its revenue benchmark by \$95million. The MMA and the legislators indicated that they anticipate the state can absorb this shortfall and that they do not foresee any mid-year reductions. We will need to continue to monitor this.

- Departmental Information

The Board of Health received a technical assistance grant from the Department of Environmental Protection to improve recycling options for business and housing developments, for 60 hours of assistance.

Fall Yard Waste collection will occur on Friday November 16 and Friday November 30th.

- Contracting/Procurement
- Other

Attached is a copy of a letter I submitted at the MassDOT regional "visioning" meeting in Lowell. If feel it is important to note that this information was readily available because of our ongoing efforts to evaluate, categorize, and pursue road acceptance. Thank you to Jim Hustins for attending, and to Kris Hartwell and Rod Wood for their work preparing this data.

Based on the initial analysis of the condition of the Woodlawn Street area drainage infrastructure commissioned by the Conservation Commission, it appears we may have a potential project for 75% funding by the federal/state Hazard Mitigation Grant Program. I am waiting for an additional report from the Conservation Commission and their engineer to determine eligibility.

Various departments received a resident complaint regarding property on Althea Avenue. A coordinated site inspection led by the Building Commissioner, including the Board of Health, Conservation Commission, and Animal Control Officer, occurred on Wednesday October 10th. It was determined that there was only one minor violation, which was abated within 24 hours.

Attached is a copy of correspondence to Mr. Daniel Desrosiers regarding a citizen's petition. A courtesy meeting with Town Counsel is being arranged, after which point he will need to decide whether to submit the article to the Annual town Meeting or seek his own counsel to amend it. Attached is a copy of the notice received from the state regarding the sealer of weights and measures, the re-appointment did not occur over the summer. Therefore I will solicit a proposal from NMCOG, the State and the prior sealer and make a recommendation to the Board.

11. Selectmen's Reports

Selectman Reault attended the NMCOG presentation by the National Park on the tours offered to visitors and recommends that the people take advantage of tours, either by trolley, boat tours and visit the mills that are still operating. NMCOG has a new GIS Director. Selectman Jackson thanked the citizens for attending the Special Town meeting. Selectwoman Puleo reminded everyone of the Tyngsborough Trot 5K run and walk-a-thon, the Holiday Fair and Health Fair. Selectman Curseaden has spoken to Mass DOT on the demolition of the temporary bridge, it is scheduled for Wednesday next week, Pawtucket Blvd will be closed for the removal, nothing has been confirmed as of today, has also discussed the ability to discuss the availability of the right hand turn. The Riverfront Park construction is took place and it was not under my supervision, hopefully what was proposed is there. The Administrator will reserve comments until the work is completed, the town did save money in doing the work as appropriated. Selectman Lambert the Althea action was taken care of, I did go down to Althea Ave to visit. Did go to the Riverfront Park and observed the work all, the casual visitor would not have noticed the work going on. I continue to urge town government to make aware of any issues and to be ready for winter.

12. Executive Session (if needed) – There was no Executive Session at the end of the meeting.

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13. Adjournment

The Board voted 5-0-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to adjourn the meeting. The meeting adjourned at 8:45 PM.

Respectfully Submitted by
Therese Gay
Admin Assistant

Approved on Tuesday November 13, 2012



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- B. Part-Time Communications Dispatcher – Appointments**
- C. Special Police Officer - Appointment**
- D. One Day Alcoholic Beverages License Request – Greater Lowell Regional Vocational-Technical School**
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13. Adjournment

Future Meetings

Monday, October 29, 2012 at 6:00 PM at the Town Offices

Tuesday, November 12, 2012 at 6:00 PM at the Town Offices (Tax Classification Hearing)

Monday, November 19, 2012 at 6:00 PM at the Town Offices

Board of Selectmen Correspondence - October 22, 2012

[illegible]